

Order of the _____ Grant _____ County
Board of Equalization

Property Owner: John Jansen

Parcel Number(s): 111885119

Assessment Year: 2015

Petition Number: 2015-91

Having considered the evidence presented by the parties in this appeal, the Board hereby:

☒ sustains ☐ overrules the determination of the assessor.

Assessor's True and Fair Value

<input type="checkbox"/> Land	\$	<u>84,100</u>
<input type="checkbox"/> Improvements	\$	<u>456,420</u>
<input type="checkbox"/> Minerals	\$	<u> </u>
<input type="checkbox"/> Personal Property	\$	<u> </u>
Total Value	\$	<u>540,520</u>

BOE True and Fair Value Determination

<input type="checkbox"/> Land	\$	<u>84,100</u>
<input type="checkbox"/> Improvements	\$	<u>456,420</u>
<input type="checkbox"/> Minerals	\$	<u> </u>
<input type="checkbox"/> Personal Property	\$	<u> </u>
Total Value	\$	<u>540,520</u>

This decision is based on our finding from:

Washington State law which directs that the true and fair market value of property shall be based upon sales of the subject property, or sales of comparable properties, made within the past five years, cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income. "True and fair" value is market value; that is, the price to be paid by a willing buyer to a willing seller.

Washington State law further stipulates that the assessment determined by the County Assessor is presumed to be correct and can only be overcome by presentation of clear, cogent and convincing evidence that the value is incorrect.

The issue before the Board is the January 1, 2015, true and fair market value. A hearing was held on January 7, 2016 before the Board of Equalization. The appellant, John Jansen, was not in attendance at the hearing and the Assessor's office was represented by Sally Catlin, Appraiser Analyst.

The Assessor valued the property at \$540,520 for the 2015 assessment year. The owners appealed, asserting a value of \$390,000.

The subject property is located at 717 S. Lupine Drive in Moses Lake, Washington. Subject is a waterfront property with 114 front foot and sits on an interior waterfront lot as opposed to Moses Lake frontage. The parcel has 22,079 sq. ft. and is adjacent to a park area. The subject is a 2 story, 5488 sq. ft. home with a 528 sq ft unfinished basement. The garage is 1224 sq. ft. There are 4 bedrooms and 3.5 bathrooms.

The appellant stated in his petition that the property was purchased in August 2015 and was not purchased through a bankruptcy, it was purchased from an Investment Group. This parcel was on the market from December 2014 to August 2015, when they accepted his offer of \$390,000. Also stated in the petition that in the summer the house sits on a channel of stagnant water, however, in the winter there is no waterfrontage.

The assessor representative submitted information to the board and the appellant. This information included aerial photo of neighborhood, exterior photo of home, sketch of subject, and 12 sales in the immediate area and 11 additional waterfront sales in Moses Lake. Ms. Catlin stated that the value on the land reflects

inferior waterfront. The double dock and boat storage are not valued. Ms. Catlin stated that due to the sales history of this property, this sale was considered a distress sale.

The Board finds the arguments presented by the appellant are not substantial enough to meet the clear, cogent, and convincing standard of proof necessary to offset the presumption of correctness established under RCW 84.40.0301. The Board finds the Assessor's Response to Real Property Petition dated November 24, 2015, which was mailed to the appellant and submitted as evidence in this hearing adequately reflect the subject's important value-related characteristics. Therefore, the Assessor's value is sustained at \$540,420. No clear, cogent or convincing evidence was received to prove the assessor was in error.

Dated this 11th day of February, (year) 2016

Gary Mann
Chairperson's Signature

Jill Hammond
Clerk's Signature

NOTICE

This order can be appealed to the State Board of Tax Appeals by filing a notice of appeal with them at PO Box 40915, Olympia, WA 98504-0915 or at their website at bta.state.wa.us/appeal/forms.htm within thirty days of the date of mailing of this order. The Notice of Appeal form is available from either your county assessor or the State Board.

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